

SEP. 19. 2005 3:30PM

LATHROP & GAGE

NO. 1553 P. 14

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10017862-1

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SEP 19 2005

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): John A. Morrison, et al.

Application No.: 09/998,629

Filing Date: Dec. 3, 2001

Title: System And Method For High Availability Firmware Load

Confirmation No.: 7445

Examiner: Michael J Yigdoll

Group Art Unit: 2192

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE) 37 CFR 1.114

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Sir:

This is a Request for Continued Examination (RCE) under CFR 1.114 of the above-identified application.

NOTE: 37 CFR 1.114 is effective on May 20, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under CFR 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

Submission under 37 CFR 1.114

- ( ) Previously submitted:
- ( ) Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
  - ( ) Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - ( ) Other \_\_\_\_\_
- (X) Enclosed:
- (X) Amendment/Reply
  - ( ) Affidavit(s)/Declarations(s)
  - ( ) Information Disclosure Statement (IDS)
  - (X) Other Facsimile Cover Sheet

Miscellaneous

- ( ) Suspension of action is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months.  
The fee for this Suspension is (37 CFR 1.17(i)) \$130.00
- ( ) Other \_\_\_\_\_

09/20/2005 SDENBOB1 00000020 082025 09998629

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Rev 12/04 (RCE)

**CONTINUED EXAMINATION TRANSMITTAL  
(RCE) (37 CFR 1.114) (continued)**ATTORNEY DOCKET NO. 10017862-1

(X) RCE filing fee \$790.00

- (X) A Petition for Extension of Time
- |                  |           |
|------------------|-----------|
| (X) one month    | \$120.00  |
| ( ) two months   | \$450.00  |
| ( ) three months | \$1020.00 |
| ( ) four months  | \$1590.00 |

Please charge to Deposit Account 08-2025 the sum of \$910.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

(X) A duplicate copy of this transmittal letter is enclosed.

- ( ) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.  
Date of Deposit: \_\_\_\_\_

OR

- (X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number  
on (571) 273-8300 Sept. 19, 2005

Number of pages:

Typed Name: Janet Ridpath

Signature: Janet Ridpath

Respectfully submitted,

John A. Morrison, et al.

By Curtis A. Vock

Curtis A. Vock

Attorney/Agent for Applicant(s)

Reg. No. 38,356

Date: Sept. 19, 2005

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